586 having "torn the marriage agreement". Furthermore, the
684 woman can bring religious pressure to bear on the "manfas agway" if he hesitates in granting the divorce, by publicly ripping off her blue neckcord, the "mätäb", symbol of Christianity, thus threatening to run off to the Muslims because her mistreatment has become completely unendurable. Since the "Fetha Nägäst" also covers Guardianship, the "mänfäs agway" decides to whom children of a broken marriage are to be assigned: usually children under 7 years of age go to the mother, but an older child may be asked to indicate a choice. Boys over 10 usually are given to the father.

671 The new law codes of Emperor Hail e Selassie I are patterned after European, modern codes and are in the process of more comprehensive codification at present. What has been done so far will be described later.

675 B. Contracts, Oath, and the Legal Person, in Abyssinian Traditionnal Law.

A contract, called "kedan" (the same word is used for "Testament" in Biblical reference), does not have to be written, and usually is not. But it must be witnessed, preferably by more than one reliable person, preferably male. The contracting parties formally announce their agreement, then touch their palms lightly,
428 (ej mätta). If the contract is a last will and testament, the Confessor ("mänfäs agway") holds the thumb of the testator while the will is formally spoken aloud.

562 565 which happens among middle and upper feudal nobility--may herself become the founder msponsor of a church. In this case she usually ap,oints a male administrator from among her kinsmen, or a local cheqa shum headman, to supervise the sharecropper gabbar supplying her church. She then would also exercise direct or indirect control over the qēs gobāz, the administrating priest.

585 A commoner or peasant woman is much more exposed to the inferior legal status of womwn. According to traditional law, the "semanya" bond with the formula of the oath "May the Emperor die" (e.g. Hayle Selassye 675 yemut"), is not legally valid, and her contractual function has to be performed through a male kinsman. Neve theless, her legal position is by no means as 586 weak as that of the Muslim woman. The Amhara woman may take half of her husband's movable possessions upon divorce, i.e. thecows she brought into her marriage and half theincreade of any pooled property. To protect her somewhat from wilful mistreatment at the hands of her husband, a bride is given two male protective "best men", the "mizēn- but they are kinsmen of the bridegroom's!

Social inferiority of a commoner woman is also associated with her manual and menial labor, as hauler of water and hewer of wood or collector of cowdung.for fuel, and similar servant-like chores inside and out- 854 side the hut. The baby which she carries on her back and breast-feeds for two years renders her physically dirty and often smelly. The commoner woman may not

1: Messing E-5 (1953-1954)1957 MP5 Amhara MP5

585 bride and groom merely expresses the prayerful wish that "God will show the way" to the lay couple toward "qurban", in time. In fact, middle-aged couples who have gone through several divorces and have finally decided definitely to spend the rest of their days together, may take the "aklil" in "qurban". Qurban for lay people, e.g. deacons, is performed usually only 40 days after their "semanya", to make certain that their marriage bond is strong and real and that no rift has arisen (e.g. if the bride had been found not a virgin).

588 "Damoz" marriage (lit. wage) is what the term implies. Most
487 commonly the arrangement is from month to month, but may be for longer or shorter periods, such as the duration of a caravan trip, or an extended stay at a major market, where the "damoz" wife offers the best and often the only available hotel and restaurant services. (She is similar to the Biblical lady in the city of Jericho). The term is a contraction of "damawag" (lit. "blood - and - sweat")
[465] compensation. Her wages vary greatly from region to region, and have considerably increased in recent years, for even the new, modern law recognized her claim. In the past she did well if she received ETH$5.-per month in addition to housekeeping expenses, but
[675] now some obtain ETH$20.- from traders. The agreement is made orally but before witnesses, so that she can go to court if the man defaults on his payments. If they separate at the expiration of the contract, she has no right to half his property as does the semanya
[428] wife, but if there are children conceived during her contract, the children can make a claim for part of the father's inheritance should he die.

201 675 196 Symbolism in commerce serves to give legal validity to a trade agreement, since bystanders thus become witnesses. When buyer and seller agree, the right hands are waved up and down, which attracts attention, then palm touches on palm (with fingers stretched away). This may or may not be reinforced by the verbal oath "Hayle Selassye yemut" (May the emperor die, if I lie). This commercial symbolism is followed especially in important transactions, such as livestock.

201 196 Symbolism in political life takes the form of rythmic handclapping, ("anchchätächchahä"), not to be confused with Western applause. It is performed as a greeting, as acknowledgement of superordination. It does not follow public proclamation. These are greeted with respectful silence, but women may indicate actual or pretended joy with their joyshout "ellel". Amhara public opinion ("astäyayät") sometimes signals negative reaction to official proclamations by "murmuring" in a delayed stage-whisper, and though officialdom traditionally pretends to ignore public opinion, it usually employs paid listeners who mix with the public to trace any "murmuring" to its sources. For, in the past, ignored murmurings frequently led to rebellions.

Anger, whether silent or accompanying verbal battles, is signalled by wide opening of the eyes ("afättätä"), or a furious, intent stare ("täfattätä").

201 Directional signs are made by moving eyelids and eyelashes, particularly by nobles or persons imitating their subtle ways. To communicate "get rid of this person", I want to talk to you alone", the eyelids wink up and down ("taqqäsä"); to signal "come out of the hut, I want to talk to you outside", the pupils and eyelashes work in the direction of the door. Men may give such signals as frequently as women.

201 177 The signal of expressing desire to enter consists of knocking with the entire fist ("kärakkomä" - onomatopoetic). Finger-knocking

I: Messing E-5 (1953-1954) 1957 MPS Amhara MPS

X 794 756 556 A poor woman will perform work such as serving coffee, sweeping, fetching water and fuel, cooking, baking, brewing beer, and spinning cotton thread in the house of the zar doctor.

X 794 675 776 The contract arranged by the zar doctor with the zar spirit for each patient devotee is regarded as having legal validity. In exchange for regular gifts and services the zar spirit promises limited repossession, at regular intervals only, and self-restraint in contagion of other members of the family of the patient at least until after her death. After that event the zar spirit may pass on to the next generation to assure himself continuation of the proferred gifts.

X 794 776 Complications are explained away on the grounds that there has been some trifling oversight in payment of dues or in respect; or on the grounds that another, evil, zar has "stolen" the dues in order to make trouble. The zar doctor never admits to error; instead, he restores the contract by instructing the possessed to dance the "gurri" of atonement ("yäbaṭer gurri") (lit. of the stick) if guilty; or the "yämehrat gurri", dance of mercy and acquittal, in case of slight [691] oversight. Some zars are as fond of litigation as most Amhara. One zar spirit is nicknamed "wäs aggach" because he always requires a personal guarantor, "wäs", whom he will "possess" in place of the patient in case of default in payments.

X 794 694 Even the judicial authorities, the provincial judges among the Amhara, will occasionally recognize zar possession as a valid excuse for violations of the law, or at least as a mitigating circumstance. Failure to appear in court to answer a summons may be forgiven on the grounds of "agorra" (lit. he roared, shrieked, i.e. is under possession) that particular day. The only other equally strong excuse would be that the person summoned had just taken kosso purgative.

4: Alvarez M-5 (1520-1526) 1881
MP5 Amhara MP5

separate persons, but two in one flesh; and that so in like 585
manner should their hearts and wills be. There they remained until mass had been said, and he gave them the communion, and bestowed on them the blessing. And this I saw done in the town of Dara, in the Kingdom of Xoa.[1] I saw another performed in the town of Çequete, in the Kingdom of the Barnagais. When they make these marriages they 586
enter into contracts, as for instance: If you leave me or I [675]
you, that one that causes the separation shall pay such a penalty. And they set the penalty according to the persons, so much gold or silver, or so many mules, or cloths, or cows, or goats, or so many measures of wood. And if either of them separate, that one immediately seeks a cause of separation for such and such reasons, so that few incur the penalty, and so they separate when they please, both the husbands and the wives. If there are any that observe the marriage rule, they are the priests, who never can separate, and cultivators, who have an affection for their wives because they help them to bring up their sons, and to harrow and weed their tillage, and at night when they come to their house they find a welcome reception: thus in effect or perforce they are married for the whole of their lives. As I said that they imposed penalties at marriages, the first Barnagais that we knew, whose name was Dori, separated from his wife, and paid her the penalty of a hundred gold ounces, which were a thousand cruzados, and he married another woman. And the wife that he separated from married a noble gentleman who was named Aaron, a brother of the said Barnagais. Both the brothers had sons, known to us, of this woman, and these were, or are, great lords, both are brothers of the mother of Prester John, whom all of us knew. All of us who were there knew Romana Orque,[2] sister of the Prester John, who is a noble lady married to a great lord, a noble young gentleman. In our time she

[1] Shoa. [2] *Rumanâ Wark*, the golden pomegranate.